



MEMO ENDORSED

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March 25, 2021

By ECF

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Michael Ramsaroop v. The Department of Education of the City of New York et al.
20-CV-04947 (ER)

Dear Judge Ramos:

I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, attorney for defendant Department of Education of the City of New York ("DOE") and Principal Shirley Miller ("Miller") (collectively, "Defendants"), in the above-referenced matter. I submit this joint status letter on behalf of the parties in accordance with the Court's Order dated March 18, 2021. *See* Exhibit A, ECF Dkt. No. 32.

On October 9, 2020, Defendants filed a letter motion for a pre-motion conference regarding their anticipated motion to dismiss the complaint. *See* Exhibit B, ECF Dkt. No. 24. On that same day, the Court directed Plaintiff to respond to Defendants' letter motion for a conference by October 14, 2020. *See* Exhibit C, ECF Dkt. No. 25. On October 14, 2020, Plaintiff requested that the pre-motion conference be held after the parties complete mediation and that Plaintiff be given a thirty (30) day extension following the completion of mediation to respond to Defendants' letter motion for a pre-motion conference regarding their anticipated motion to dismiss the complaint. *See* Exhibit D, ECF Dkt. No. 26. On February 11, 2021, the parties completed mediation but were unable to reach a resolution.¹

Plaintiff's Position

Plaintiff is formally seeking the court's permission to amend the complaint filed against the defendant on June 23, 2020 in the above referenced matter, by May 06, 2021. The defendant will either answer the amended complaint or file a motion dismiss the amended complaint by June

¹ After mediation, a stipulation of voluntary dismissal was entered as to Defendant United Federation of Teachers.

18, 2021. Plaintiff will respond to the defendant's answer to the amended complaint or motion to dismiss by August 02, 2021.

Defendants' Position

Defendants rely on their previously filed letter motion for a pre-motion conference regarding their anticipated motion to dismiss the complaint. *See* Exhibit B, ECF Dkt. No. 24. Defendants request that the Court direct plaintiff to respond to Defendants' previously filed letter motion and schedule a pre-motion conference or, alternatively, if the Court finds that a pre-motion conference is unnecessary, Defendants submit the proposed briefing schedule:

- Defendants Motion: May 28, 2021
- Plaintiff's Opposition: July 9, 2021
- Defendants' Reply, if any: July 30, 2021

We thank the Court attention and consideration of this request.

Respectfully Submitted,

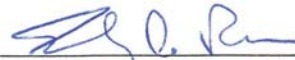


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Plaintiff is granted leave to amend his complaint by May 6, 2021. Defendants shall answer, move, or otherwise respond by May 28, 2021. Plaintiff's opposition is due July 9, 2021, and Defendants' reply is due July 30, 2021. The Clerk of Court is respectfully directed to terminate the motion. Doc. 24.

So ordered.



Edgardo Ramos, U.S.D.J.
Dated: 4/2/2021
New York, New York